

Executive Summary:

EDUCATION FOR EVERYONE

FORTY YEARS AGO, CONGRESS PASSED Title IX of the Education Amendments of 1972 to ensure equal opportunity in education for all students, from kindergarten through postgraduate school, regardless of sex. This landmark legislation states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

— 20 U.S.C. §1681

Girls and women have made great strides in education since the passage of Title IX. The days when girls were blatantly told that they couldn't take shop or advanced math are, for the most part, gone. Females make up a growing proportion of students in many math, science, and technology-related fields, particularly in the life sciences. Given greater opportunities to participate in athletics, they are now doing so in record numbers. They have also made gains in career and technical education at the

high school and community college levels. Time and again, girls and women have proved that they have the interest and aptitude to succeed in areas once considered the exclusive purview of males.

Despite tremendous progress, however, challenges to equality in education still exist. Women's advancement in some areas, including computer science and engineering, has stagnated or even declined in recent years. Pregnant and parenting students are frequently subjected to unlawful policies and practices that deter them from completing their education. Nearly half of all middle and high school students report being sexually harassed in school. And single-sex classrooms often cater to stereotypes about how boys and girls learn, to the detriment of both sexes.

These and other challenges affect the ability of all students—male and female—to get the most out of their education. This in turn endangers the ability of U.S. schools and universities to produce skilled workers who can succeed in an increasingly competitive global marketplace.

Who Benefits from Title IX?

Contrary to the opinion of critics, Title IX is not an entitlement program; it offers no special benefits or advantages for girls and women. Rather, it is a gender-neutral piece of legislation designed to ensure equality in education for *all* students by eliminating sex-based discrimination. Title IX and related regulations provide guidelines, procedures, and tools for preventing and addressing inequities that can hinder students' ability to succeed in school and beyond.

Title IX benefits girls and women who want to achieve their maximum potential in education without barriers on the basis of their sex. It *also* benefits boys and men who want equal access to all education and career options. By prohibiting hostile, threatening, and discriminatory behavior, Title IX protects the rights of all students to learn in a healthy environment. These advantages extend beyond individual



TITLE IX AT WORK

Following are ten facts about Title IX, including both familiar and lesser-known aspects of the legislation.

- 1. In schools that receive federal funding, Title IX protects all students**—male and female—from discrimination on the basis of sex.
- 2. Title IX also prohibits sex discrimination in employment**, protecting school staff as well as students.
- 3. Title IX requires schools to provide male and female students with equal opportunities** to participate in athletics; it does not set quotas or demand equal funding for different sports.
- 4. Title IX mandates equity in career and technical education programs**, including those traditionally dominated by men (e.g., construction, IT), as well as those traditionally dominated by women (e.g., nursing).
- 5. Title IX protects girls' and women's rights to equity in STEM education**, including equal opportunities and access to institutional resources.
- 6. Title IX offers both male and female students protection against sex-based harassment** from teachers, school staff, other students, and school visitors.
- 7. Title IX sets strict limits on programs that separate girls and boys**, and prohibits the discrimination that can occur when such programs are based on gender stereotypes.
- 8. Title IX protects students from being refused enrollment** or excluded from school-related activities because of pregnancy or parenting status.
- 9. Title IX requires schools to adopt and disseminate policies** prohibiting sex discrimination, develop grievance procedures, and designate a Title IX coordinator to oversee compliance. Title IX also protects students and staff from retaliation for reporting violations.
- 10. Over the past 40 years, major gains in female participation** in areas such as science, math, business, and athletics have shown that girls and women have both the interest and the aptitude to succeed in these fields—without detracting from opportunities for males.

nation itself, which stands to gain a well-prepared workforce in which the brightest minds are allowed to advance.

Title IX and Equity in Education: Where Things Stand

In recent years Title IX has come under attack from critics who claim that the law, which mandates equality in education, actually favors girls and women at the expense of boys and men. However, studies show that Title IX has made greater educational opportunities available for students of both sexes.

This report outlines issues and recommended solutions in six areas covered by Title IX: athletics; science, technology, engineering, and mathematics (STEM); career and technical education; sexual harassment; single-sex education; and the rights of pregnant and parenting students. Through this examination, the National Coalition for Women and Girls in Education (NCWGE) seeks to inform the continued search for policies that will promote equal educational opportunity in all of these areas.

ATHLETICS

Title IX has increased female participation in sports exponentially. In response to greater opportunities to play, the number of high school girls participating in sports has risen tenfold in the past 40 years, while six times as many women compete in college sports. These gains demonstrate the key principle underlying the legislation: Women and girls have an equal interest in sports and deserve equal opportunities to participate.

Despite these advances, hurdles for female athletes remain. Girls and women still have fewer opportunities to participate in school sports than their male counterparts. In addition, different groups are not represented equally: Less than two-thirds of African-American and His-

panic girls play sports, while more than three-quarters of Caucasian girls do. In addition to having fewer opportunities, girls often endure inferior treatment in areas such as equipment, facilities, coaching, and scheduling.

Criticism of the effects of Title IX on athletics often springs from misconceptions about how the law works. Title IX does not mandate quotas or demand equal funding for all sports. Nor has opening opportunities for girls and women come at the expense of boys and men; in fact, athletic participation among males has continued to rise over the past 40 years.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH (STEM)

With greater opportunity to study and work in science, technology, engineering, and math, girls and women have made great progress in these fields over the past 40 years. Nonetheless, more work is needed to achieve equality. Stereotypes about male and female abilities—none of which are supported by science—can affect access to opportunities for girls and women in STEM as well as student performance. Hiring and promotion policies in academia and elsewhere also hold women back.

Recent gains in girls' mathematical achievement demonstrate the importance of cultural attitudes in the development of students' abilities and interests. They also demonstrate the law's impact on society. As learning environments have become more open since the passage of Title IX, girls' achievement has soared. For example, the proportion of seventh- and eighth-grade girls who scored in the top 0.01% of students on the math SAT rose from 1 in 13 in the early 1980s to 1 in 3 by 2010.

At the college and postgraduate levels, women have made huge gains in some STEM fields but only modest progress in others. Women now earn more than half of all bachelor's degrees in biological and social sciences. In math, physics, engineering, and computer science, however,

the proportion of women earning bachelor's degrees has remained stagnant or even declined over the past decade.

Women's share of PhDs across all STEM fields has risen dramatically, from just 11% in 1972 to 40% by 2006; the numbers vary widely by field, though, with women earning over half the PhDs in the life sciences but just over 20% in computer science and engineering. Continuing female attrition in STEM programs at all levels comes at a devastating cost to U.S. businesses and research institutions, which need access to the brightest minds in STEM.

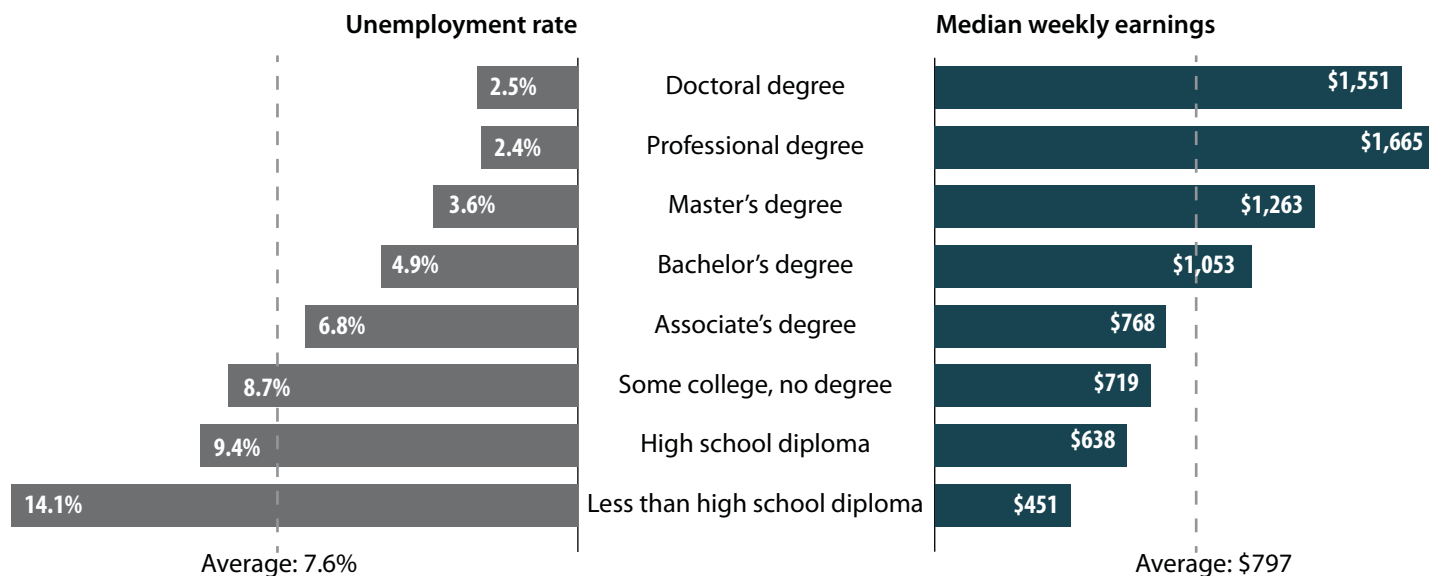
CAREER AND TECHNICAL EDUCATION

Career and technical education (CTE) prepares youth and adults for a wide range of careers as well as further education in areas such as information technology, construction, manufacturing, auto engineering, and other skilled trades. Expanding access to technical occupations can help to shrink the gender wage gap. Through CTE, women can gain the knowledge and skills required to enter higher-paying, "nontraditional" occupations for women, defined as those in which less than 25% of the workforce is of their gender.

Since the passage of Title IX, there has been a gradual increase in the number of females in technical and other occupational programs leading to nontraditional careers. Although women and girls have made some advances in CTE since Title IX passed, barriers to entry—including gender stereotypes, implicit bias, unequal treatment, and sexual harassment—remain high. Males may also be discouraged from taking nontraditional courses, including courses in relatively high-growth, high-wage professions in health care and other fields.

Federal law needs to offer states both incentives and resources for ensuring gender equity. It should also mandate sanctions for discrimination. Better tracking and reporting of data, incentives for increasing girls' and women's

Education Pays: Impact of Education on Employment and Earnings, 2011



NOTE: Data are for persons age 25 and over. Earnings are for full-time wage and salary workers.
SOURCE: U.S. Bureau of Labor Statistics, Current Population Survey.

participation in high-wage occupations, and resources for developing effective recruitment and retention strategies are needed to ensure equal access to CTE for all students.

SEXUAL HARASSMENT AND BULLYING

Harassment based on sex, including failure to conform to gender stereotypes, is prohibited by Title IX. Much of what is referred to as “bullying” is actually unlawful peer-on-peer harassment. The law applies whether the harassment involves students of the opposite or of the same sex, and whether it is conducted in person, online, or through other media. Title IX’s protection extends to sexual harassment in all of a school’s programs or activities, whether the harassment occurs on school property, on a school bus, or at an off-site school event.

Despite efforts to curb sexual harassment, this form of discrimination is still prevalent in schools and on college campuses. More than half of girls and 40% of boys in grades 7 through 12 reported being sexually harassed during the 2010–2011 school year. Among lesbian, gay, bisexual, and transgender students,

harassment is even more extensive: 85% say they have been verbally harassed, and 19% report physical assault. In addition, nearly two-thirds of college students aged 18–24 experience some form of sexual harassment. The numbers for men and women are similar, although women report greater emotional and educational disruption from harassment.

When sexual harassment occurs, Title IX requires that schools take immediate, effective action to eliminate the hostile environment, prevent its recurrence, and remedy the effects on the victim. These steps are essential for creating a learning environment in which all students can succeed. Better training and strengthening of the law—for example, giving students the same protection from harassment that employees have in the workplace—would help curb this widespread and damaging conduct.

SINGLE-SEX EDUCATION

In recent years, there has been a growing trend of separating students on the basis of sex. This trend raises serious equality and policy con-

cerns, and may violate numerous provisions of state and federal law. In public schools, the circumstances under which students can be separated by sex are limited by the Constitution and Title IX. Although the U.S. Department of Education loosened restrictions on single-sex education in 2006, schools must still meet a host of legal requirements before separating students by sex.

Few schools meet these requirements. Many single-sex programs alleging a basis in research are in fact based on claims that amount to little more than repackaged sex stereotypes—for instance, that boys need authority and excel at abstract thinking, while girls need quiet environments that focus on cooperation and following directions. In the classroom, separating boys and girls can reinforce such stereotypes in ways that are stigmatizing and damaging to both groups. Moreover, single-sex programs can discriminate against one group in allocating resources or educational opportunities.

Despite assertions to the contrary, separating students by sex has not been proven to improve educational outcomes. Evaluations generally fail to compare single-sex programs with comparable coed programs or to control for other factors that affect outcomes, such as class size and student ability. Given the flaws in the justification for single-sex education and the documented inequities that spring from separating boys and girls, stricter regulation and compliance monitoring are essential. The Department of Education should rescind the looser 2006 regulations and clarify what is and is not

permissible to help put an end to inequitable programs.

PREGNANT AND PARENTING STUDENTS

Despite legal protection under Title IX, pregnant and parenting students often face discrimination in school, including being pushed toward separate education programs, facing inequitable absence policies, and being denied access to extracurricular activities.

Pregnant and parenting teens face many obstacles to enrolling in, attending, and succeeding in school. Without adequate support, many drop out, lowering their chances of finding employment that offers economic security. This issue affects boys as well as girls: Close to half of female dropouts and one-third of male dropouts say that becoming a parent is a factor in their decision to leave high school.

Lack of knowledge of the law is a major issue in overcoming discrimination. Measures such as training school officials to understand the rights and needs of pregnant and parenting students and tracking compliance are important for ensuring equal access to education. In addition, greater support for pregnant and parenting students—including flexible leave options and services such as child care, counseling, and tutoring—can help ensure that these students have the opportunity to succeed in school.



Continued Progress

Even today, 40 years after the passage of Title IX, the goal of gender equity in education has not been fully realized. Each chapter of this report includes recommendations for the Title IX area covered in that chapter. In addition, NCWGE believes that the following overarch-

ing recommendations will enable continued progress:

- 1. Awareness.** All stakeholders, including advocacy groups and the federal government, must actively educate the public and educa-

tional entities about Title IX and its broad application of educational equity. Education institutions should be fully aware of their responsibilities under Title IX.

2. Enforcement. The U.S. Department of Education's Office for Civil Rights (OCR) should continue to enhance its Title IX enforcement and public education efforts and should conduct compliance reviews in areas not currently monitored, such as the treatment of pregnant and parenting students. Granting agencies should conduct regular and random Title IX compliance reviews of their grantee institutions, ensuring educational equity across all areas of Title IX.

3. Transparency. Congress should require schools and universities to provide enhanced education data collection and reporting, including full disaggregation and cross-tabulation by gender, race, ethnicity, and disability, so that schools, parents, policy-makers, and advocates can see how smaller subgroups of students are doing in school. Data collection among federal grantee institutions should be standardized and include students as well as faculty and administrators at all levels, broken out by salary/compensa-

tion, promotion/tenure status, and field of study.

4. Coordination. Title IX coordinators in each state, district, and school must be identified, notified of their responsibilities, and given training and resources to do their jobs. A complete list of these individuals and their contact information should be readily available on the U.S. Department of Education website, as well as on the websites of each state Department of Education and school district. OCR should have regular communication with Title IX coordinators to keep them informed. Congress and the Department of Education should coordinate the efforts of state and local Title IX coordinators in expanding programs to attract girls and women to fields in which they are under-represented, particularly in STEM and trade careers.

5. Funding. Congress should restore federal funding to state education agencies for gender equity work, including funding for state Title IX coordinators and programs and for technical assistance with compliance. Funding should also be maintained for the Department of Education's regional Equity Assistance Centers.

About NCWGE

The National Coalition for Women and Girls in Education is a nonprofit organization established to educate the public about issues concerning equal rights for women and girls in education, monitor the enforcement and administration of current legislation, conduct and publish research and analysis of issues concerning equal educational rights for women and girls, and take the steps necessary and proper to accomplish these purposes.

NCWGE was formed in 1975 by representatives of national organizations concerned about the government's failure to issue regulations implementing Title IX of the Education

Amendments of 1972. NCWGE was successful in mobilizing strong support for publication of the Title IX regulations by the then-Department of Health, Education, and Welfare.

NCWGE continues to be a major force in developing national education policies that benefit women and girls; providing a valuable forum to share information and strategies to advance educational equity; advocating for women and girls regarding educational issues, including the interpretation and implementation of Title IX; and monitoring the work of Congress and federal agencies on education policies and programs.